

ATTACHMENT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BLACKROCK, INC.,

Plaintiff,

v.

3BLACKROCK.COM and 43 additional
Internet Domain Names,

Defendants.

Civil Action No. 1:23-cv-1375 (AJT/WEF)

DECLARATION OF ADRIENNE J. KOSAK

I, Adrienne J. Kosak, hereby declare as follows:

1. I am an attorney with the law firm Wiley Rein LLP, counsel for Plaintiff BlackRock, Inc. (“BlackRock”).

2. I am a member in good standing of the State Bars of Virginia, North Carolina, and the District of Columbia.

3. I submit this Declaration in support of Plaintiff’s Motion for Order to Publish Notice of Action and make this Declaration based on my personal knowledge.

4. My firm undertook a review of the WhoIs records for each of the Defendant Domain Names. The domain records are attached to the Complaint as Exhibits 1 through 44. The domain records reflect that the registrant(s) of the Defendant Domain Names are all either outside the jurisdiction of the United States, or have intentionally concealed their identifying information such that we cannot identify a person who would have been a defendant. The records also reflect that the domains were either registered, used, trafficked-in, and/or re-

registered in recent years, and well after BlackRock established rights and extensive goodwill in the BLACKROCK, ALADDIN, and BLK marks.

5. At the same time we reviewed the WhoIs records, my firm undertook a review of the websites to which the domains resolved. None of the websites reflected use of the BLACKROCK, ALADDIN, or BLK marks for any *bona fide* purpose, and many were clearly seeking to capitalize on misdirected consumers by using pay-per-click links, malware, bloatware, and misleading content falsely suggesting they were offering legitimate BlackRock services.

6. The widespread concealment of the registrant(s)' identities and physical location, coupled with the lack of *bona fide* use of the domains, strongly suggest that the registrant(s) concealed their information from the WhoIs records with the specific intent of avoiding liability for their intellectual property misuse.

7. On October 10, 2023, we sent letters on behalf of BlackRock to the registrant(s) of the Defendant Domain Names, notifying the registrant(s) that BlackRock had filed suit in the United States District Court for the Eastern District of Virginia, attaching a copy of the Complaint, and providing notice of BlackRock's intent to proceed *in rem*. A true and accurate copy of the letter is attached hereto as Exhibit A.

8. We utilized all available means to communicate with the registrant(s). Our efforts included sending not only the attached letter to the physical and email addresses provided (and registrar addresses where the registrant provided no information whatsoever), but also separate notices to the online contact portals listed in the WhoIs information. Our efforts are reflected in the service information in Exhibit A.

9. Following our service of the notice of BlackRock's intent to proceed *in rem*, we received some email responses from purported registrants or representatives thereof. The

contacts were unwilling to provide information sufficient for us to identify the registrants with any degree of specificity. These responses confirm our belief that the electronic methods of service we employed were effective in reaching the registrant(s) of the domain names.

10. At this time, we remain unable to identify a person/entity who would be a defendant and over whom there would exist personal jurisdiction in United States, for any of the Defendant Domain Names. Thus, BlackRock's only recourse is to continue this proceeding *in rem*, as is authorized by the Anti-Cybersquatting Consumer Protection Act.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 25, 2022, in Charlotte, North Carolina.



Adrienne J. Kosak
WILEY REIN LLP
2050 M Street, N.W.
Washington, DC 20036
Telephone: (202) 719-7000
Fax: (202) 719-7049
akosak@wiley.law

Exhibit A

David E. Weslow
202.719.7525
dweslow@wiley.law



Wiley Rein LLP
2050 M Street NW
Washington, DC 20036
Tel: 202.719.7000

October 10, 2023

wiley.law

VIA E-MAIL AND FIRST-CLASS MAIL (see Address List)

Re: *BlackRock, Inc. v. 3BLACKROCK.com et al.*, No. 1:23-cv-1375 (E.D. Va. Oct. 10, 2023)

Dear Sir or Madam:

Our firm represents BlackRock, Inc. ("BlackRock"). Please find enclosed a Complaint that has been filed in the United States District Court for the Eastern District of Virginia, asserting claims under the Lanham Act, 15 U.S.C. § 1114(1)(a), and the Anticybersquatting Consumer Protection Act, 15 U.S.C. § 1125(d), against the following domain names:

- 3BLACKROCK.com,
- ALADDIN-BLACKROCK.com,
- ALADDINLENDING.com,
- ALADDINPROBANK.net,
- ALADDINSECURITIES.net,
- ASSETSBLACKROCK.com,
- BLACKROCK500.com,
- BLACKROCKBOND.com,
- BLACKROCKSHARE.com,
- BLACKROCKCAPITALGROUPLLC.net,
- BLACKROCKCAPITALINC.com,
- BLACKROCKCAPITALINVESTMENTS.com,
- BLACKROCKCAPITALMANAGEMENT.com,
- BLACKROCK-CO.com,
- BLACKROCK-CRYPTO.net,
- BLACKROCKENVESTMENTVN.com,
- BLACKROCKFINANCES.com,
- BLACKROCKFUTURES.com,
- BLACKROCKINVESTMENTGROUP.org,
- BLACKROCKINVESTMENTINSIGHT.com,
- BLACKROCK-INVESTMENTS.com,
- BLACKROCK-INVESTMENTS.org,
- BLACKROCKLLP.com,
- BLACKROCKREI.com,
- BLACKROCKEXCHANGE.com,
- BLACKROCKTCPCAPITAL.com,
- BLACKROCKUSD.com,
- BLACKROCKLOANS.com,
- BLACROCKLOANS.com,
- BLAKROCKLOANS.com,
- BLAXKROCK.com,

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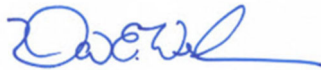
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- BLKCASH.net,
- BLK-TRADING.com,
- CRYPTO-BLACKROCK.com,
- TOBLACKROCK.com,
- TRADEBLACKROCK-CO.com,
- WWWBLACKROCKLOANS.com,
- ITBLACKROCK.com,
- BLACKROCKPFM.com,
- JIOBLACKROCK.com,
- BLACKROCKJIO.com,
- BLACKROCK-ASSETS.org,
- BLACKROCK-VPC.com, and
- BLACKROCK-FX.com.

Due to size, copies of the attachments to the Complaint have not been included here, but will be made available upon request.

This correspondence is notice of BlackRock's intent to proceed *in rem* pursuant to 15 U.S.C. § 1125(d)(2)(A)(ii)(II)(aa). Additionally, all documents and electronic records must be retained relating to your registration and/or use of the referenced domain names, and any and all other domain name registrations, including email and computer records that otherwise may be erased or overwritten. See 15 U.S.C. § 1125(d)(1)(B)(i)(VIII).

Sincerely,



David E. Weslow

Enclosure

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ADDRESS LIST

Domains By Proxy, LLC

2115 E. Warner Road
Tempe, AZ 85284
abuse@godaddy.com
privacy@godaddy.com

(for BLACKROCKCAPITALINC.com, BLACKROCKCAPITALINVESTMENTS.com, BLACKROCKCAPITALMANAGEMENT.com, BLACKROCKENVESTMENTVN.com, BLACKROCKREI.com, BLACKROCKEXCHANGE.com, TOBLACKROCK.com, ALADDINLENDING.com, ALADDINPROBANK.net, BLKCASH.net)

NameCheap, Inc.

Withheld for Privacy ehf

4600 East Washington Street
Suite 305
Phoenix, AZ 85034

Kalkofnsvegur 2
Reykjavik
Capital Region 101, IS

abuse@namecheap.com
(for BLACKROCK-ASSETS.org, BLACKROCK-VPC.com)

62ebf2f9588c435f8d8b2a7997de0a7f.protect@withheldforprivacy.com
(for 3BLACKROCK.com)

B26c9f040b324856b28c06057f939a98.protect@withheldforprivacy.com
(for BLACKROCK500.com)

4123705ea69b4f87814fcdcb2cdd358cf.protect@withheldforprivacy.com
(for BLACKROCKSHARE.com)

945d26d854424e55b778e4249d237f38.protect@withheldforprivacy.com
(for BLACKROCK-INVESTMENTS.org)

1c52ddfe2588459aaffb5038712a09ec.protect@withheldforprivacy.com
(for BLACKROCKLLP.com)

NameSilo, LLC

1300 E. Missouri Avenue
Phoenix, AZ 85014
abuse@namesilo.com
(for BLACKROCKFUTURES.com)

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**Domain Protection Services, Inc.
Name.com, Inc.**

PO Box 1769
Denver, CO 80201
abuse@name.com

(for *ITBLACKROCK.com*)

Contact Privacy Inc. Customers 0166142781, 7151571251

96 Mowat Ave.
Toronto, ON M4K 3K1
registrar-abuse@google.com

(for *ASSETSBLACKROCK.com*, *BLACKROCKCAPITALGROUPLLC.net*,
BLACKROCKINVESTMENTGROUP.org)

Blackrockinvestmentinsight.com@contactprivacy.com
(for *BLACKROCKINVESTMENTINSIGHT.com*)

Alibaba.com Singapore E-Commerce Private Limited

10 Collyer Quay # 10-01
Ocean Financial Centre
Singapore 049315
domainabuse@service.aliyun.com

(for *BLACKROCKTCPCAPITAL.com*, *BLK-TRADING.com*, *JIOBLACKROCK.com*)

**Whois Privacy Protection Foundation
Hosting Concepts B.V. d/b/a Registrar.eu**

Hofplein 20
3032 AC
Rotterdam, Netherlands
abuse@registrar.eu

(for *BLACKROCK-CO.com*, *BLACKROCKUSD.com*, *TRADEBLACKROCK-CO.com*)

SAV.COM, LLC

2229 South Michigan Ave Suite 303
Chicago, IL 60616
support@sav.com

(for *BLACKROCKLOANS.com*, *BLACROCKLOANS.com*, *BLAKROCKLOANS.com*,
WWWBLACKROCKLOANS.com)

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Gransy s.r.o. d/b/a SUBREG.cz
VisualFresh s.r.o.

Borivojova 878/35
130 00 Prague
Czech Republic
VAT: CZ28087755
abuse@regtons.com
webproxy@whoisprotection.domains

(for BLACKROCKBOND.com, BLACKROCK-INVESTMENTS.com, BLACKROCK-FX.com)

OVH sas

1801 McGill College Ave.
Suite 800
Montreal, Quebec H3A 2N4
Canada
abuse@ovh.net

(for ALADDIN-BLACKROCK.com)

Privacy Protect, LLC

10 Corporate Drive
Burlington, MA 01803
contact@privacyprotect.org

(for BLACKROCKFINANCES.com)

Sergei IUdakov

Pos TSentralnoi Usaby skh Ozery, d. 46 kv. 15
Ozery, Moskovskaia obl, RU 140560
Dwad2cdcawdc@mail.ru

(for BLACKROCK-CRYPTO.net)

Cloud Yuqu LLC

abuse@diymysite.com

(for BLAXKROCK.com)

Shield Whois

Radiovagen 2
Vastra Frolunda
42147 SE

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crypto-blackrock.com@shieldwhois.com

(for CRYPTO-BLACKROCK.com)

Perfect Privacy, LLC

c/o Network Solutions

PO Box 459

5335 Gate Parkway

Jacksonville, FL 32256

Mn4ey9gn8gd@networksolutionsprivateregistration.com

(for ALADDINSECURITIES.net)

Mary Magnus

Wuse Zone 6

Abuja 2994

Nigeria

Marym179@yahoo.com

(for ALADDINHK.com)

PrivacyGuardian.org LLC

1928 E. Highland Ave.

Suite F104 PMB# 255

Phoenix, AZ 85016

Pw-09ac165e6eee69fca174e7f461b4414f@privacyguardian.org

(for BLACKROCKPFM.com)

Domain.com, LLC

5335 Gate Pkwy

2nd Floor

Jacksonville, FL 32256

compliance@domain-inc.net

(for BLACKROCKJIO.com)

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Notice has also been provided via the following electronic portals identified in the subject domains' Whois records:

www.ovhcloud.com/en/lp/request-ovhcloud-registered-domain/
(for ALADDIN-BLACKROCK.com)

<https://domains.google.com/contactregistrant?domain=assetsblackrock.com>
(for ASSETSBLACKROCK.com)

<https://whois.aliyun.com/whois/whoisForm>
(for BLACKROCKTCPCAPITAL.com, JIOBLACKROCK.com)

<https://domains.google.com/contactregistrant?domain=blackrockcapitalgroupllc.net>
(for BLACKROCKCAPITALGROUPLLC.net)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockcapitalinc.com>
(for BLACKROCKCAPITALINC.com)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockcapitalinvestments.com>
(for BLACKROCKCAPITALINVESTMENTS.com)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockcapitalmanagement.com>
(for BLACKROCKCAPITALMANAGEMENT.com)

<http://contact-firm.registrar.eu/?domainName=blackrock-co.com&purpose=owner>
(for BLACKROCK-CO.com)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockenvestmentvn.com>
(for BLACKROCKCAPITALMANAGEMENT.com)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockrei.com>
(for BLACKROCKREI.com)

<https://www.godaddy.com/whois/results.aspx?domain=blackrockexchange.com>
(for BLACKROCKEXCHANGE.com)

<https://contact-form.registrar.eu/?domainName=blackrockusd.com&purpose=owner>
(for BLACKROCKUSD.com)

<http://privacy.sav.com/?domain=blackrokloans.com>
(for BLACKROKLOANS.com)

<http://privacy.sav.com/?domain=blacrockloans.com>
(for BLACROCKLOANS.com)

<http://privacy.sav.com/?domain=blakrockloans.com>
(for BLAKROCKLOANS.com)

<http://quoisquery.diymysite.com/web/whoisform?domain=blaxkrock.com>

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(for BLAXKROCK.com)

<https://www.godaddy.com/whois/results.aspx?domain=toblackrock.com>

(for TOBLACKROCK.com)

<http://contact-firm.registrar.eu/?domainName=tradeblackrock-co.com&purpose=owner>

(for TRADEBLACKROCK-CO.com)

<http://privacy.sav.com/?domain=wwwblackrockloans.com>

(for WWWBLACKROCKLOANS.com)

<https://www.name.com/contact-domain-whois/itblackrock.com>

(for ITBLACKROCK.com)

<https://www.godaddy.com/whois/results.aspx?domain=aladdinlending.com>

(for ALADDINLENDING.com)

<https://www.godaddy.com/whois/results.aspx?domain=aladdinprobank.net>

(for ALADDINPROBANK.net)

<https://www.godaddy.com/whois/results.aspx?domain=blkcash.net>

(for BLKCASH.net)

<https://domains.google.com/contactregistrant?domain=blk-trading.com>

(for BLK-TRADING.com)

<https://tieredaccess.com/contact/f4f1ec0d-f808-47db-b91b-5bf8eb6786b2>

(for BLACKROCKJIO.com)

<https://www.spaceship.com/domains/whois/?domain=blackrock-assets.org>

(for BLACKROCK-ASSETS.org)